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**STATE OF ALABAMA  
COUNTY OF COVINGTON**

**ANDALUSIA CITY HALL  
ANDALUSIA, ALABAMA  
DECEMBER 20 2011**

**REGULAR WORK SESSION MEETING**

**PRESENT:**

Terry Powell, Mayor Pro Tempore  
Will Sconiers, Councilmember  
Kennith C. Mount, Councilmember  
Hazel Griffin, Councilmember  
Jason Jewell, Councilmember  
Mark Christensen, City Attorney

**ABSENT:**

Earl V. Johnson, Mayor

The City Council of the City of Andalusia, Alabama, met in room 340 at city hall for a work session at 5:00 p.m. for the purpose of planning and finalizing the agenda.

**REGULAR COUNCIL MEETING**

**PRESENT:**

Terry Powell, Mayor Pro Tempore  
Will Sconiers, Councilmember  
Kennith C. Mount, Councilmember  
Hazel Griffin, Councilmember  
Jason Jewell, Councilmember  
Mark Christensen, City Attorney

**ABSENT:**

Earl V. Johnson, Mayor

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Mayor Pro Tempore Powell called the meeting to order and welcomed all. Councilmember Griffin led the prayer and Pledge of Allegiance to the flag.

**APPROVAL OF MINUTES:**

Mayor Pro Tempore Powell presented the minutes from the December 6, 2011, regular meeting. Councilmember Griffin moved to approve the minutes. Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2011 – 43, APPROVING SURPLUS OF CITY VECHICLES:**

Mayor Pro Tempore Powell presented Resolution No. 2011 – 43.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA  
RESOLUTION 2011 – 43**

**A RESOLUTION DECLARING CITY VEHICLE SURPLUS**

**WHEREAS**, the City of Andalusia, Alabama has inventoried its vehicles and found the following vehicle to be unneeded for public municipal purposes:

<b><u>Leisure Services</u></b>						
<b>Unit No.</b>	<b>Serial No.</b>	<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>Mileage</b>	<b>Comments</b>
GC29		1993	Dodge	Pick-Up	203,875	
R-11		1997	Ford	Explorer	160,256	

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<b><u>Public Works Department</u></b>						
<b>Unit No.</b>	<b>Serial No.</b>	<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>Mileage</b>	<b>Comments</b>
S-12	1HSJYGUR9JH570958	1988	International	Tractor Truck	571,071	Fuel Problems- Runs Poorly
S-14	1FDJF37HGNA55442	1986	Ford	1 Ton Truck	106,200	Runs
S-16	1FDXH70G95VA18573	1995	Ford/Elgin	Sweeper	40,316	Truck Runs-Sweeper Inoperable
S-29	T16DT9V589558	1979	GMC 6000	1 1/2 Ton	85,424	Chasis Only-Runs
C-33	1FTE15NC5NB44561	1995	Ford	F-150	273,415	Runs
C-35	1FTDF17W5VLB88570	1997	Ford	F-150	169,009	Runs
C-37	1FDNF60H3FVA60875	1985	Ford	F-700	167,095	Chasis Only-No Transmission

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Andalusia, Alabama, that said equipment listed above is no longer needed for public municipal purposes, and that the Mayor and City Clerk are hereby authorized to sell or otherwise dispose of said surplus property.

**ADOPTED AND APPROVED** this 20<sup>th</sup> day of December, 2011.

**THE CITY OF ANDALUSIA, ALABAMA**

By: \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

\_\_\_\_\_  
**John M. Thompson, City Clerk – Treasurer**

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Councilmember Sconiers moved to approve Resolution No. 2011 – 43. Councilmember Jewell seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2011 – 44, AUTHORIZING THE FINAL PHASE OF THE ANDALUSIA BYPASS RESURFACING PROJECT BY THE ALABAMA DEPARTMENT OF TRANSPORTATION::**

Mayor Pro Tempore Powell presented Resolution No. 2011 – 44.

**CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2011 – 44**

**WHEREAS**, the City of Andalusia (hereinafter at times referred to as Governmental Body) is desirous of having certain improvements made on SR-55, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project No. STPAA-0055(509) Covington County, and described Resurfacing on SR-55 from North of the Intersection of SR-15 (US-29) to Pavement Joint South of SR-12 (US-84).

**WHEREAS**, the Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway, and

**WHEREAS**, The Federal Highway Administration, an agency of the United States of America will not participate in any funding for the construction of said project until and unless the Governmental Body will agree to certain requirements of the Federal Highway Administration. The Governmental Body for the purpose of complying with requirements of the type and kind in this agreement provided for, does hereby pass and adopt the following:

**BE IT RESOLVED** by the Andalusia City Council that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this Council and which are now on file in the office of the City Clerk are hereby approved and the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and that the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use and access to the dedicated widths of any existing roads for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting roads for as long as necessary while the said project is being graded,

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drained, paved, and otherwise improved, and hereby agrees that the use of any road or highway for parking within an interchange area will not at any time be permitted.

**BE IT FURTHER RESOLVED** by the Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right-of-way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama. The traffic control devices and signs installed during construction, and those installed after completion of this project, shall be in accordance with the latest edition of the National Manual on Uniform Traffic Control Devices (MUTCD) and accepted standards adopted by the Alabama Department of Transportation and by the Federal Highway Administration.

The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama.

It is understood and agreed that no changes in this Resolution of Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

**THIS RESOLUTION PASSED AND ADOPTED** this the 20<sup>th</sup> day of December, 2011.

**ATTEST:**

(Place City seal here)

\_\_\_\_\_  
**John M. Thompson, City Clerk - Treasurer**  
**City of Andalusia**

\_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**  
**City of Andalusia**

I, the undersigned Clerk of the City of Andalusia, Do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the City Council of the foregoing City, at its regular meeting held on the 20<sup>th</sup> day of December, 2011, as the same appears of record in Minute Book \_\_\_\_\_, Page \_\_\_\_\_, thereof.

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Given under by hand and the official seal of such City this 20<sup>th</sup> day of December, 2011.

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**John M. Thompson, City Clerk – Treasurer  
City of Andalusia**

(City SEAL)

Councilmember Sconiers moved to approve Resolution No. 2011 – 44. Councilmember Griffin seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2011 – 45, APPROVING A LEASE WITH GREENSTEEL HOMES:**

Mayor Pro Tempore Powell presented Resolution No. 2011 – 45.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2011 – 45**

**A RESOLUTION APPROVING A CONTRACT WITH GREEN STEEL HOMES, LLC**

**WHEREAS**, the City Council of the City of Andalusia desires to promote job creation to improve the quality of life for all its citizens; and

**WHEREAS**, the City of Andalusia constructed a speculative building in 2006 and desires to improve the facility; and

**WHEREAS**, the mayor has negotiated a lease for the building with Green Steele Homes, LLC.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA**, that the lease with Green Steel Homes, LLC is approved, and that the mayor and city clerk be hereby authorized to execute any and all documents necessary to effectuate the intent of this resolution, contingent upon Green Steel Homes' LLC ability to satisfy certain expectations.

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**ADOPTED AND APPROVED** this 20<sup>th</sup> day of December, 2011.

**THE CITY OF ANDALUSIA, ALABAMA**

By: \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

\_\_\_\_\_  
**John M. Thompson, City Clerk – Treasurer**

Councilmember Griffin moved to approve Resolution No. 2011 – 45. Councilmember Mount seconded the motion which passed unanimously.

**COUNCIL APPROVES RESOLUTION NO. 2011 – 46, APPROVING A MEMORANDUM OF UNDERSTANDING WITH INCIPT, LLC, FOR A MULTI FAMILY APARTMENT COMPLEX IN ANDALUSIA:**

Mayor Pro Tempore Powell presented Resolution No. 2011 – 46.

**THE CITY OF ANDALUSIA  
ANDALUSIA, ALABAMA**

**RESOLUTION NO. 2011 – 46**

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH INCIPT, LLC, TO CONSTRUCT UPSCALE APARTMENTS IN ANDALUSIA**

**WHEREAS**, the City Council of the City of Andalusia desires promote economic development and expand housing to improve the quality of life for all its citizens; and

**WHEREAS**, the City of Andalusia has worked for many years to encourage the development of an upscale apartment community in Andalusia; and

**WHEREAS**, the City of Andalusia has sought requests for proposals for such a development and has received one that meets the City's needs.

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**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDALUSIA**, that the Memorandum of Understanding with Incipit, LLC is approved and that the mayor and city clerk are hereby authorized to execute a final contract based on the terms outlined in the memorandum of understanding.

**ADOPTED AND APPROVED** this 20<sup>th</sup> day of December, 2011.

**THE CITY OF ANDALUSIA, ALABAMA**

By: \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

\_\_\_\_\_  
**John M. Thompson, City Clerk – Treasurer**

Councilmember Mount moved to approve Resolution No. 2011 – 46. Councilmember Jewell seconded the motion which passed unanimously

**ADJOURNMENT:**

With no further business, Mayor Pro Tempore Powell called the meeting adjourned.

**THE CITY OF ANDALUSIA, ALABAMA**

BY: \_\_\_\_\_  
**Terry Powell, Mayor Pro Tempore**

**ATTEST:**

\_\_\_\_\_  
**John M. Thompson, City Clerk - Treasurer**